

**PLAINTIFF'S MOTION
EXHIBIT 2**



PERFORMANCE EVALUATION
CAPTAIN THROUGH DEPUTY CHIEF
PD 438-1517 (Rev. 11-98)-Part



THIS FORM MUST BE TYPED

1. SURNAME	FIRST	M.I.	RANK	COMMAND/ASSIGNMENT
Mauriello	Steven	J	Captain	081 Precinct/X.O.
SOCIAL SECURITY NUMBER	EMPLOYEE TAX NUMBER		DATE ASSIGNED TO COMMAND	
[REDACTED]	[REDACTED]		09/22/2006	

PRESENT ASSIGNMENT (Brief Description of Duties)

Executive Officer-Monitor crime reduction strategies, traffic stat program, assistance to Commanding Officer regarding the overall Command Operations.

2. REASON FOR SUBMITTING:

(ANNUAL) (INTERIM) (PROBATION) (TRANSFER) (OTHER) _____

SPECIFY _____

Date Prepared: July 29, 2007 Covers Rating Period From July 01, 2006 to: July 30, 2007

3. OVERALL EVALUATION: MUST REFER TO THE ACCOMPANYING GUIDEBOOK FOR DEFINITIONS.

WELL ABOVE STANDARDS	<input checked="" type="checkbox"/>	ABOVE STANDARDS	<input type="checkbox"/>	MEETS STANDARDS	<input checked="" type="checkbox"/>	BELOW STANDARDS	<input type="checkbox"/>	WELL BELOW STANDARDS	<input type="checkbox"/>
LENGTH OF TIME RATER HAS SUPERVISED RATEE: YR. X MO. Ten (10)									

4. RATER'S COMMENTS: Rater to discuss the basis for the OVERALL EVALUATION which should be based on the attainment of performance expectations and performance factors listed in this report.

During this rating period Captain Mauriello was assigned as the Executive Officer of the 81st Precinct. He has demonstrated his abilities in his assigned areas. As the traffic Stat coordinator, the traffic program has excelled by posting a 10.4% reduction in accidents. In addition, the summons productivity has vastly improved in hazardous summonses, bus stops, and double parking summonses. He also supervised the Special Operations Unit in the command. The Anti-Crime Unit has sparked a major increase in gun arrests for the command, surpassing the overall 2005 number in 2006 by 1.4% (139 vs. 137). In 2007 gun arrests are up 45% (87 vs. 60). Overall, productivity has increased in PSB Arrests, seven major arrests and DWI arrests. He has maintained a strong relationship in the community which has led to a 26% decrease in Civilian Complaints. Captain Mauriello is a hard working and dedicated member of this command who is dedicated to the values and the mission of this command and the NYC Police Department. I highly recommend Captain Mauriello for a position as a Commanding Officer.

This Performance Evaluation takes into account the employee's compliance with the Department's EEO Guidelines and Federal Title VII statutes and whether the employee was disciplined as a result of same. The Ratee's rights and responsibilities regarding EEO issues were discussed.

Rater's Initials: MB

5. EDUCATION: Check Highest level Achieved HIGH SCHOOL SOME COLLEGE (No. of Credits) _____
 ASSOCIATE DEG. BACHELOR'S DEG. MASTER'S DEG. DOCTORATE JURIS DOCTORATE

HAS MEMBER INCREASED ACHIEVEMENT/CREDIT LEVEL DURING RATING PERIOD? Yes No

6. Number of times reported sick in past 12 months:	Number of work days on sick report in past 12 months:	Number of times Line of Duty in past 12 months:	Total work days lost: Reg. sick days _____ Line of Duty _____
# 0	# 0	# 0	Total # 0

7. Rater's Name	Rank/Title	Command	Date Assigned to Command
Robert J. Brower	Deputy Inspector	081	08/02/2002
SIGNATURE <u>Robert J. Brower</u>		Social Security Number [REDACTED]	Tax Number [REDACTED]

8. Reviewer's Name	Rank/Title	Command	Date Assigned to Command
Thomas J. Moran	Inspector	PBBN	10/02/2002
SIGNATURE <u>Thomas J. Moran</u>		Social Security Number [REDACTED]	Tax Number [REDACTED]

9. Reviewer: Comments and Recommendations

RATEE'S
RANK/NAME Captain Steven J. Muriello TAX NO. ██████████ ASSIGN./COMMAND 081

RATER'S
RANK/NAME Deputy Inspector Robert J. Brower TAX NO. ██████████ ASSIGN./COMMAND 081

NOTE: A PHOTOCOPY OF THIS COMPLETED PAGE MUST BE FORWARDED TO THE EMPLOYEE MANAGEMENT DIVISION AT THE BEGINNING OF THE RATING PERIOD

KEY RESULT AREAS and PERFORMANCE EXPECTATIONS

(To Be Completed and Discussed With the Ratee At the Beginning of the Evaluation Period)

The Rater and Ratee will list each of the ratee's Key Result Areas (KRA's), in order of importance, in the captions listed below. KRA's are those functions and work responsibilities which represent the fundamental reasons why the ratee's position exists. They are the most important areas in which the ratee is expected to perform. Each Key Result Area will include a description of the responsibility, Adjacent to each responsibility the rater will indicate, in the caption provided, what will be expected of the ratee in order to perform the KRA adequately. This will be a statement describing what conditions will prevail if the KRA is met. A performance expectation is that which the rater will examine to determine if the ratee met the listed Key Result Area.

RATING PERIOD: FROM (Mo.) July (Day) 01 (Year) 2008 To (Mo.) July (Day) 30 (Year) 2008
 DATE of DISCUSSION: _____ Ratee's Initials JM Rater's Initials RB

KEY RESULT AREAS	PERFORMANCE EXPECTATIONS
Listed in order of importance	Indicate Level of Performance Expected to Fulfill KRA
1. CRIME REDUCTION	Monitor Complaint Reports to identify trends, coordinate efforts with Crime Analysis and Precinct personnel to reduce crime in targeted areas.
2. INCREASE COMMAND PRODUCTIVITY	Achieve arrest activity and gather information using targeted enforcement at violence prone locations. Develop information sources within the community to identify targeted offenders.
3. CHRONIC SICK	Monitor MOS on sick, confer with any MOS who are nearing chronic designation in an effort to reduce MOS on chronic sick.
4. OVERTIME	Identify high overtime earners. Review O/T reports to ensure that the O/T submitted is reasonable for the type of assignment.
5. CIVILIAN COMPLAINTS	Create and monitor programs to reduce civilian complaints. Address community leaders and encourage community participation.

THIS SECTION TO BE COMPLETED AT THE END OF THE RATING PERIOD (attach second sheet if necessary):
 List any other factors which specifically affected performance in the above KRA's. Indicate by number which KRA was affected and explain below. Also indicate reason for departure from originally established Key Result Areas. (Cite accomplishments, deficiencies or failures, conditions which influenced attainment of specific performance expectations and other performance-related factors which occurred during the rating period):

CAPT STEVEN MAURIELLO

CO/BNACU

RATER'S RANK/NAME _____ TAX NO. _____ ASSIGN./COMMAND _____

RATER'S RANK/NAME _____ TAX NO. _____ ADJ/PBBN
INSPECTOR MORAN

ASSIGN./COMMAND _____

NOTE: A PHOTOCOPY OF THIS COMPLETED PAGE MUST BE FORWARDED TO THE EMPLOYEE MANAGEMENT DIVISION AT THE BEGINNING OF THE RATING PERIOD**KEY RESULT AREAS AND PERFORMANCE EXPECTATIONS****(To Be Completed and Discussed With the Ratee At the Beginning of the Evaluation Period)**

The Rater and Ratee will list each of the ratee's Key Result Areas (KRA's), in order of importance, in the captions listed below. KRA's are those functions and work responsibilities which represent the fundamental reasons why the ratee's position exists. They are the most important areas in which the ratee is expected to perform. Each Key Result Area will include a description of the responsibility. Adjacent to each responsibility the rater will indicate, in the caption provided, what will be expected of the ratee in order to perform the KRA adequately. This will be a statement describing what conditions will prevail if the KRA is met. A performance expectation is that which the rater will examine to determine if the ratee met the listed Key Result Area.

2006 6 30 2007

RATING PERIOD: FROM (Mo.) 8/17/06 (Day) _____ (Year) _____ To (Mo.) _____ (Day) _____ (Year) _____

DATE OF DISCUSSION: _____ Ratee's Initials SM. Rater's Initials R

KEY RESULT AREAS	PERFORMANCE EXPECTATIONS
Listed in order of importance	Indicate Level of Performance Expected to Fulfill KRA
1. CRIME REDUCTION	MONITOR COMPLAINT REPORTS TO IDENTIFY TRENDS, COORDINATED EFFORTS WITH CRIME ANALYSIS AND PRECINCT PERSONNEL TO REDUCE CRIME IN TARGETED AREAS
2. INCREASE COMMAND PRODUCTIVITY	ACHIEVE ARREST ACTIVITY AND GATHER INFORMATION USING TARGETED ENFORCEMENT AT VIOLENCE PRONE LOCATIONS. DEVELOP INFORMATION SOURCES WITHIN THE COMMUNITY TO IDENTIFY TARGETED OFFENDERS
3. CHRONIC SICK	MONITOR MOS ON SICK, CONFER WITH ANY MOS WHO ARE NEARING CHRONIC SICK DESIGNATION IN AN EFFORT TO REDUCE MOS ON CHRONIC SICK.
4. OVERTIME	IDENTIFY HIGH OVERTIME EARNERS. REVIEW OT REPORTS OF HIGH OT EARNERS TO ENSURE OT SUBMITTED IS REASONABLE FOR TYPE OF ASSIGNMENT.
5. CIVILIAN COMPLAINTS	CREATE AND MONITOR PROGRAMS TO REDUCE CIVILIAN COMPLAINTS. ADDRESS COMMUNITY LEADERS AND ENCOURAGE COMMUNITY PARTICIPATION.

THIS SECTION TO BE COMPLETED AT THE END OF THE RATING PERIOD (attach second sheet if necessary):
List any other factors which specifically affected performance in the above KRA's. Indicate by number which KRA was affected and explain below. Also indicate reason for departure from originally established Key Result Areas. (Cite accomplishments, deficiencies or failures, conditions which influenced attainment of specific performance expectations and other performance-related factors which occurred during the rating period):

PERFORMANCE ASSESSMENT
(To be Completed and Discussed with the Ratee at
the End of the Evaluation Period)

In the captions provided below, the rater will assign a rating for each Key Result Area by checking the appropriate box under the column **Individual Assessment of Each KRA**. Before doing this, however, the rater and the ratee must together complete the **Performance Achievements** column. From this discussion the rater will provide, in the **Performance Achievements** column, a detailed account of the ACTUAL accomplishments achieved during the rating period. Hence, if the original **Performance Expectations** listed three criteria for performance in a KRA, the **Performance Achievements** must address the ACTUAL RESULTS in each of the three criteria. The ratings for performance in each KRA, namely the **Individual Assessment of Each KRA**, must therefore be justified in light of these actual **Performance Achievements**. Remember, these individual ratings will help to form the basis for the **Overall Evaluation** which will be assigned to the ratee.

PERFORMANCE ACHIEVEMENTS Indicate Actual Achievements Fulfilling KRA	INDIVIDUAL ASSESSMENT OF EACH KRA				
	WELL ABOVE STANDARDS	ABOVE STANDARDS	MEETS STANDARDS	BELOW STANDARDS	WELL BELOW STANDARDS
CRIME REDUCTION	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Comments:</i> Analyzed crime trends and developed plans during the period to address periodic spikes in robbery and shooting incidents.				
INCREASE COMMAND PRODUCTIVITY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Comments:</i> Sizable increases in hazardous summonses, seat-belt summonses and double parking summonses as well and increase in Criminal Court summonses. PSB, DWI, 7 Majors and Gun arrests have increased.				
CHRONIC SICK	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Comments:</i> 3.4% (6 members) of this command are designated chronic sick. Captain Mauriello has conferred with MOS who are nearing chronic designation in effort to reduce members becoming chronic.				
OVERTIME	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Comments:</i> Captain Mauriello has identified high overtime earners, reviewed overtime reports and ensured that overtime submitted is reasonable for the type of assignment indicated.				
CIVILIAN COMPLAINTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Comments:</i> Captain Mauriello has maintained a Civilian Complaint reduction program by counseling MOS receiving complaints and maintaining a relationship with community leaders to ensure professionalism by Officers at all times. A 26% reduction				
RECOMMENDATIONS (if relevant):			is noted during this rating period.		

VERIFICATION (To be Completed at the End of the Evaluation Period)

VERIFICATION (to be completed at the end of)
"I have shown this Performance Evaluation to the ratee
and have fully discussed its contents."

"I have read this Performance Evaluation and I have received a copy of it."

"I wish to appeal this Evaluation." (A.G. 303-20)

Evaluation Period)
D I M 7/31/07
Date
Ratee's Signature
Capt Steven M. B 7/31/07
Date
Ratee's Signature

SM00343